



Pending file

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

26 MAR 1991

Mr. Charles McDonald
Angeles National Forest
701 N. Santa Anita Avenue
Arcadia, CA 91006

Dear Mr. McDonald:

The Environmental Protection Agency (EPA) has reviewed the Draft Environmental Impact Statement (DEIS) for **Gillibrand Soledad Canyon Mining Operations, Angeles National Forest, California**. Our comments on the DEIS are provided pursuant to the National Environmental Policy Act (NEPA) and EPA's authorities under section 309 of the Clean Air Act.

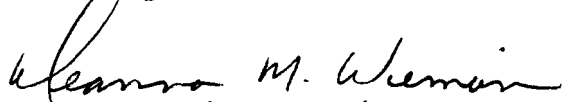
The Gillibrand Project DEIS identifies and analyzes alternatives for open pit mining of titanium ore and related minerals and construction of roads and/or conveyors for transport of the mined material from three claim areas in the Angeles National Forest.

We have classified this DEIS as EC-2 -- Environmental Concerns-Insufficient Information (see enclosed "Summary of Rating Definitions and Follow-Up Action"). Our "EC" rating reflects our concerns regarding the proposed project's potential impacts to air and water quality and to riparian habitat. Our "2" rating reflects the fact that certain relevant information is missing from the DEIS. The final environmental impact statement (FEIS) should provide further information regarding the requirements of and project compliance with all applicable air quality standards and requisite permits, as well as proposed monitoring and mitigation measures to ensure compliance. The FEIS should also provide more information regarding mitigation of impacts to riparian areas as well as existing and potential future groundwater and surface water conditions in the project vicinity. Our detailed comments are attached.

We appreciate the opportunity to review this DEIS. Please send three copies of the FEIS to this office at the same time it

is officially filed with our Washington, D.C., office. If you have any questions, please contact Dr. Jacqueline Wyland at (FTS) 484-1584 or Jeanne Dunn Geselbracht at (FTS) 484-1576.

Sincerely,


Deanna M. Wieman, Director
Office of External Affairs

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cc: South Coast Air Quality Management District
Regional Water Quality Control Board, Los Angeles Region

Air Quality

The South Coast Air Basin violates the National Ambient Air Quality Standards (NAAQS) for carbon monoxide, nitrogen dioxide, ozone, and particulate matter less than ten microns in size (PM10). Carbon monoxide concentrations are two times higher than anywhere else in the U.S. Ozone levels are approximately three times higher than the NAAQS, higher than anywhere else in the U.S. The average PM10 concentrations were almost 80 percent higher than the NAAQS in 1987. The Basin is the only nitrogen dioxide nonattainment area in the country.

To meet the NAAQS, the South Coast must reduce emissions in the air basin by the following approximate amounts: reactive organic gases by 85 percent; sulfur oxides by 60 percent; carbon monoxide by 40 percent; and nitrogen oxides by 65 percent. The Clean Air Act, amended in November, 1990, mandates the development of implementation plans to achieve attainment of the NAAQS. The Clean Air Act also requires that federal actions conform to these implementation plans (see conformity discussion below). The South Coast Air Quality Management District (SCAQMD) and the Southern California Association of Governments (SCAG) have developed a local Air Quality Management Plan, which has been submitted to EPA for inclusion in the State Implementation Plan (SIP).

1. Section 176 of the Clean Air Act prohibits any Federal agency from taking any action that causes or contributes to violations of standards, or which interferes with attaining standards or with requirements in the SIP. If the proposed mining project would interfere with attainment of national standards, it would be prohibited by the Clean Air Act unless the preferred alternative is accompanied by air quality mitigation measures sufficient to avoid such adverse effects.

2. In addition to the NAAQS, the FEIS should discuss the Prevention of Significant Deterioration (PSD) increments applicable to air quality in the project area. The FEIS should identify any Class I PSD areas located within 100 kilometers of the potential project site. PSD increments exist for sulfur dioxide, total suspended particulates, and nitrogen dioxide, and are highly protective of air quality in Class I areas. The FEIS should also discuss impacts to the NAAQS and to PSD increments outside of the non-attainment area from estimated emissions, considering the cumulative effects from all aspects of mine excavation, construction, operation, and support activities, such as vehicle traffic. In particular, impacts to Class I PSD areas, including visibility impacts, should be discussed. USFS should closely coordinate with SCAQMD regarding regulatory requirements, controls, and offsets.

3. The FEIS should discuss any other federal, state, or local standards that would be applicable to the proposed project. The

FEIS should also discuss whether a New Source Review permit is required and, if so, what it would involve.

4. According to the DEIS (page 3-13), the "small amounts of precursor pollutant (HC and NO_x) emissions resulting from the proposed mining activities would not cause a measurable change in the local ozone concentrations....Therefore, the overall air quality impacts from project gaseous emissions would not be significant." We disagree with the claim that projected increases are not significant, especially the 88.4-ton/year emission rate for NO₂ (a 13.4 percent increase over existing conditions). In an area which must reduce NO_x emissions very dramatically, any increase is a significant problem. It is not clear whether the proposed project would conform with the Clean Air Act. The Clean Air Act, as amended, defines conformity to mean that the activity will not "(i) cause or contribute to any new violation of any standard in any area; (ii) increase the frequency or severity of any existing violation of any standard in any area; or (iii) delay timely attainment of any standards or any required interim emission reductions or other milestones in any area." The FEIS should discuss how the project would meet the conformity requirements as defined in the Clean Air Act.

5. The FEIS should discuss the specific requirements of the 1989 and/or 1991 South Coast Air Quality Management Plan (AQMP), how these will be met, and how USFS will ensure that no interference occurs with attainment of standards as expeditiously as practicable. Any necessary mitigation measures beyond those already discussed in the DEIS should be discussed in the FEIS.

6. The FEIS should discuss the possibility of an air quality monitoring program which would be implemented to ensure project compliance with all applicable air quality standards and permits.

Water Quality Issues

1. According to the DEIS (page 3-26), groundwater in the project vicinity is of "fairly good quality," and "the quality of the surface waters is generally poor because of high mineral content from natural sources." The FEIS should support these statements by providing data on soils or other "natural sources" and existing water quality, and identifying water quality standards. In addition, the FEIS should discuss any potential increase in groundwater or surface water contamination that could result from contact with mining spoils and subsequent leaching either before or after they have been returned to the pit for reclamation.

2. The FEIS should provide more information on specific quarrying operations such as how deep the pits would be, whether dewatering would be necessary, and if so at what flow rates. In addition, the FEIS should discuss whether, upon completion of mining activities, groundwater recharge into the pits would occur. If so, at what rates and to what elevations? Would the pits become open water bodies? How would the replacement of

spoils and topsoil into the pits be affected by groundwater recharge?

3. The FEIS should expand the discussion regarding groundwater. The statement in the DEIS (page 3-24) that "[g]roundwater in the area is considered to be limited...to the alluvial reservoirs...." should be justified. Further, the FEIS should support the statement that "[d]ecline in groundwater levels are not expected to be of a magnitude that will force the abandonment or deepening of wells by other users downstream in the Santa Clara basin" (DEIS, page 3-29). Similarly, the FEIS should provide information supporting the statement that "stream water quality will not be degraded to a level that will reduce the value of the streams for other uses" (DEIS, page 3-29). Maps, detailed analyses, or references to existing literature should be included.

The areas of usable groundwater should be identified on a map, as should the locations of any springs. The possible contributions of fracture-fed springs to surface hydrology is ignored. The FEIS should discuss whether the proposed pits are located in recharge or discharge areas for the fractured aquifer system as well as whether surface streams gain water from or lose water to subsurface storage. If surface streams gain water from subsurface storage, drawdown of the water table associated with mine operations could impact surface flows. If water is lost to subsurface storage, degradation of surface water quality could adversely affect groundwater quality.

4. Significant soil erosion could occur if Best Management Practices (BMPs) are not implemented during road and building construction at the project site. The FEIS should specifically identify and discuss the Best Management Practices (BMPs) (mentioned on page B-5 of the DEIS) that would apply to and/or be implemented during road and building construction.

5. The FEIS should discuss the water quality monitoring program that would be implemented to ensure against degradation of water quality from mining operations. It should also discuss mitigation measures that would be implemented should degradation occur.

Wetlands and Riparian Habitats

1. EPA could find no reference to compliance with Section 404 of the Clean Water Act which regulates the discharge of dredged and fill material into waters of the United States including wetlands. The FEIS should identify the areas of waters of the United States, as delineated by the U.S. Army Corps of Engineers (ACE), which may be impacted by any project activities. If any areas are identified, the FEIS should note that the discharge of dredged or fill material into waters of the United States

requires Section 404 approval from the ACE and must comply with EPA's 404(b)(1) Guidelines for Specification of Disposal Sites for Dredged or Fill Material ("Guidelines") (40 CFR 230). It should then state how each of the project alternatives would comply with the criteria set out in the Guidelines.

2. According to the DEIS (page 3-54), realignment of roads may be required to avoid or eliminate adverse impacts to riparian resources. The FEIS should identify those road segments that would require realignment and discuss where and how they would be realigned. Specifically, it appears that the proposed road segment that would be constructed adjacent to the stream in Pole Canyon could have significant adverse impacts on water quality and riparian habitat. The FEIS should assess alternative alignments for this road and thoroughly discuss any avoidance or mitigation measures necessary for each alternative alignment, including the proposed alignment.

3. A total of three acres of riparian habitat could be adversely affected by the proposed project. The FEIS should discuss whether impacts to these areas could be completely avoided by relocation of proposed disturbed areas within the project site.

4. Unavoidable disturbance of riparian habitat would be mitigated by enhancement of existing riparian habitat in the project area at a ratio of five acres for every one acre disturbed (DEIS, page 3-54). The FEIS should include a thorough discussion of the riparian habitat enhancement program that would be implemented.

5. The FEIS should discuss whether dewatering in the project site would adversely affect riparian habitat and identify any BMPs that would be implemented to ensure that it would not. If impacts to riparian habitat resulting from dewatering are not accounted for in the DEIS's assessment of adversely affected riparian areas, the FEIS should account for these areas, which should be added to the total acreage requiring enhancement offsets.